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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/699,678 | 11/04/2003 | Akihito Kusano | 012778-125 | 4925 |

21839 7590 11/29/2004

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EXAMINER

BUTLER, DOUGLAS C

ART UNIT PAPER NUMBER

3683

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/699,678

Applicant(s)

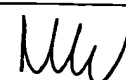
KUSANO, AKIHITO

Examiner

Douglas C. Butler

Art Unit

3683



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 5-14 and 16-21 is/are allowed.
- 6) ☒ Claim(s) 4, 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Attachment A</u> . |

Art Unit: 3683

DETAILED ACTION

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

2. The submitted IDS has been considered. A copy of applicant-submitted Form PTO-1449 is enclosed.

3. The examiner has reviewed all applications currently in the IFW system (See Attachment A) available to the examiner and finds no conflict between the subject matter of the instant claims and the applications in Attachment A.

4. Claims 1-3, 5-14 and 16-21 are allowed.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 4 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no clear antecedent basis in the claims for "the other one port" of claim 4, line 4 and of claim 15, line 4.

7. Note Refs. A-E listed on Form PTO-892.

8. Claims 4 and 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Any inquiry concerning this communication should be directed to Exmr Butler at telephone number (703) 308-2575.

Art Unit: 3683

 11/24/04

DOUGLAS C. BUTLER
PRIMARY EXAMINER

AU3683

Butler/vs
November 23, 2004

| PAT. NO. | APP. NO. | Patent No. | Status | Date Filed | Inventor Name | Title |
|----------|-----------|------------|--------|------------|-----------------|--|
| | 09/452721 | 6247762 | 150 | 12/03/1999 | KUSANO, AKIHITO | VEHICLE BRAKING SYSTEM WITH A STROKE SIMULATOR AND A SERVO DEVICE |
| | 09/580431 | 6290310 | 150 | 05/30/2000 | KUSANO, AKIHITO | Brake pressure control device for automotive vehicles |
| | 09/842849 | 6685278 | 150 | 04/27/2001 | KUSANO, AKIHITO | BRAKE CONTROL DEVICE FOR A VEHICLE |
| | 09/986738 | 6585332 | 150 | 11/09/2001 | KUSANO, AKIHITO | BRAKE CONTROL DEVICE FOR A VEHICLE |
| | 10/092495 | 6641233 | 150 | 03/08/2002 | KUSANO, AKIHITO | HYDRAULIC BRAKE APPARATUS FOR A VEHICLE |
| (b) | 10/105425 | | 094 | 03/28/2002 | KUSANO, AKIHITO | BRAKING PRESSURE GENERATING APPARATUS FOR A VEHICLE |
| | 10/108415 | 6672685 | 150 | 03/29/2002 | KUSANO, AKIHITO | BRAKE STROKE SIMULATOR AND A VEHICLE HYDRAULIC BRAKE APPARATUS PROVIDED WITH THE SAME |
| | 10/190828 | 6641231 | 150 | 07/09/2002 | KUSANO, AKIHITO | HYDRAULIC BRAKE APPARATUS FOR A VEHICLE |
| (b) | 10/194065 | | 041 | 07/15/2002 | KUSANO, AKIHITO | Hydraulic braking pressure generating apparatus for a vehicle and a hydraulic brake device for a vehicle including a hydraulic braking pressure generating apparatus |
| | 10/244756 | 6705692 | 150 | 09/17/2002 | KUSANO, AKIHITO | HYDRAULIC BRAKE APPARATUS FOR A VEHICLE |
| | 10/279871 | 6729898 | 150 | 10/25/2002 | KUSANO, AKIHITO | HYDRAULIC BRAKE DEVICE FOR VEHICLE |
| | 10/374061 | | 041 | 02/27/2003 | KUSANO, AKIHITO | Vehicle brake hydraulic pressure generator |
| | 10/374062 | | 041 | 02/27/2003 | KUSANO, AKIHITO | Vehicle brake hydraulic pressure generator |
| (b) | 10/374970 | | 041 | 02/28/2003 | KUSANO, AKIHITO | Vehicle brake hydraulic pressure generator |
| (b) | 10/375352 | 6789857 | 150 | 02/28/2003 | KUSANO, AKIHITO | VEHICLE BRAKE HYDRAULIC PRESSURE GENERATOR |
| | 10/409122 | 6796125 | 150 | 04/08/2003 | KUSANO, AKIHITO | MASTER CYLINDER |
| (b) | 10/437970 | | 041 | 05/15/2003 | KUSANO, AKIHITO | Hydraulic brake system for vehicles |
| | 10/438018 | 6709072 | 150 | 05/15/2003 | KUSANO, AKIHITO | HYDRAULIC BRAKE SYSTEM FOR VEHICLES |
| (b) | 10/693993 | | 041 | 10/28/2003 | KUSANO, AKIHITO | Hydraulic brake apparatus for a vehicle |
| (b) | 10/699878 | | 030 | 11/04/2003 | KUSANO, AKIHITO | Hydraulic brake apparatus for a vehicle |
| (b) | 10/801587 | | 041 | 03/17/2004 | KUSANO, AKIHITO | Hydraulic brake apparatus for a vehicle |
| (b) | 10/807351 | | 030 | 03/24/2004 | KUSANO, AKIHITO | Vehicle hydraulic brake device |
| (b) | 10/808378 | | 041 | 03/25/2004 | KUSANO, AKIHITO | Vehicle hydraulic brake device |
| (b) | 10/808471 | | 030 | 03/25/2004 | KUSANO, AKIHITO | Vehicle hydraulic brake device |
| (b) | 10/826332 | | 030 | 04/19/2004 | KUSANO, AKIHITO | Master cylinder with a braking stroke simulator |
| (b) | 10/840627 | | 030 | 05/07/2004 | KUSANO, AKIHITO | Braking stroke simulator |

Attachment A